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In re Application of
Taguchi, et al.
Application No. 10/529,120
Filed: March 25, 2005
Attorney Docket No. 10921.0294USWO
For: ANALYTICAL TOOL

OFFICE OF PETITIONS
ON PETITION

This is a decision on the petition under 37 CFR 1.181, filed January 9, 2009, requesting that the Office withdraw the holding of abandonment of the above-identified application.

The petition under 37 CFR 1.181 is **GRANTED**.

This application was held abandoned for failure to respond in a timely manner to the non-final Office action, mailed June 30, 2008, which set forth an extendable three (3) month period for reply. The Office contended that this application became abandoned on October 1, 2008 for failure to reply to the June 30, 2008 non-final Office action. A Notice of Abandonment was mailed on January 6, 2009.

Petitioners request withdrawal of the holding of abandonment based on the assertion that a petition for a three month extension of time and an amendment were timely received in the Office on December 30, 2008. The undersigned finds this argument completely convincing, as these documents are present in the application file and Office financial records shows that the required three month extension of time fee was charged on December 30, 2008. Therefore, the three month extension of time and amendment were timely filed.

The petition under 37 CFR 1.181 is **granted**, the holding of abandonment is withdrawn, and the January 6, 2009 Notice of Abandonment is **vacated**. No petition fee has been or will be charged in connection with this matter.

Accordingly, the application file will be forwarded to Technology Center A.U. 1797 for consideration of the amendment filed on December 30, 2008.

Telephone inquiries pertaining to this matter may be directed to the undersigned at (571) 272-3230.

Shirene Willis Brantley
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Office of Petitions